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SAFMARINE CONTAINER LINES N.V.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

SAFMARINE CONTAINER LINES,)	Case No. CV 08-4421 SVW (AGR _x)
N.V.,)	
)	IN ADMIRALTY
Plaintiff,)	
)	INTERLOCUTORY DISMISSAL
vs.)	
)	
SMS EXPRESS COMPANY, INC dba)	
DYNA FREIGHT, INC aka DYNA)	
FREIGHT)	
)	
Defendant.)	
_____)	

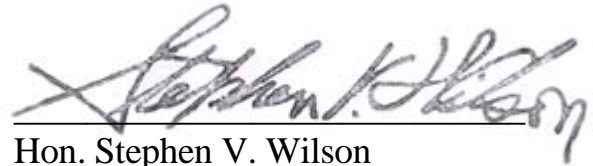
JS - 6

GOOD CAUSE APPEARING THEREFOR, the complaint herein is dismissed without prejudice, as to all parties and all causes of action subject to the terms of this Order. Plaintiff may have up to and including November 15, 2008 to reopen this case only if the settlement funds have not cleared for any reason and a written request to reopen this case is filed with this Court on or before November 15, 2008.

1 If Plaintiff has not requested this Court to reopen the case on or before November 15,
2 2008, the complaint will therefore be deemed dismissed with prejudice as to all parties and
3 all causes of action with each party to bear its own costs and fees.

4 IT IS SO ORDERED.

5
6 Dated: October 15, 2008

A handwritten signature in dark ink, appearing to read "Stephen V. Wilson", is written over a horizontal line.

Hon. Stephen V. Wilson
United States District Judge

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 401 E. Ocean Blvd. Suite 710, Long Beach, California 90802.

On October 15, 2008, I served the foregoing document described as **[PROPOSED] INTERLOCUTORY DISMISSAL** on the interested parties:

Joseph Mirkovich
Russell, Mirkovich and Morrow
One World Trade Center
Suite 1280
Long Beach, CA 90831-1280
Counsel for Defendant

☐ **BY MAIL:** I caused such envelope to be deposited in the mail at Long Beach, California. The envelope was mailed with postage thereon fully prepaid. I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on the same day with postage thereon fully prepaid at Long Beach, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **VIA CM/ECF:** Pursuant to General Order 08-02 the forgoing document was served on opposing counsel via the Court's CM/ECF system.

☒ **Federal:** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on October 15, 2008 at Long Beach, California.

____s/Stephen M Uthoff_____
Stephen M. Uthoff